

**MARCH 9, 2010 MINUTES
REGULAR WHEATLAND CITY COUNCIL MEETING
WHEATLAND COMMUNITY CENTER, 101 C STREET,
WHEATLAND, CA
6:00 – 7:15 p.m.**

COUNCIL MEMBERS PRESENT: D. Coe, L. McIntosh, J. Pendergraph, R. West
E. Elphick - Absent

OTHER OFFICIALS PRESENT: S. Wright, City Manager
R. Shanahan, City Attorney
T. Raney, Community Development Director

PLEDGE OF ALLEGIANCE:

Council member D. Coe led the pledge of allegiance.

PUBLIC COMMENT

B. Bartholomew recommended that council members attend the School District Board meetings.
J. Swift questioned the dimensions of the new sidewalk on Main Street.
G. Soliz stated the Main Street repaving project turned out very nice.
W. Harrison questioned if First Street is still scheduled for repaving.

CONSENT CALENDAR

It was moved by Council member D. Coe, seconded by L. McIntosh to approve **minutes of the regular City Council meeting held on March 9, 2010**. Vote called – AYES: All. Motion carried.

REGULAR CALENDAR

1) S. Wright presented discussion of consideration to grant a 90 day continuance on the termination of Development Agreements between the City and; (1) Lakemont Overland Crossing, LLC; (2) Wheatland Heritage Oaks, LLC; and (3) Trivest Land Co., Inc. Wright explained that after the agenda packet was distributed, the City was contacted by each of the current property owners requesting a better understanding of the issues and asking for additional time to work with the City to resolve the outstanding issues. For that reason, staff is recommending that the Council grant a 90 day continuance for this purpose.

Public Comment

- 1) G. Soliz stated if the City waits for 90 days, will the Development Agreements have an installment and sit 'as is' for two to three years or does the 90 days means there will be activity with the developments.
- 2) W. Harrison questioned why the City is willing to consider a 90-day extension.
- 3) J. Swift questioned what services the developments have.
- 4) Darren Anderson with RBC Real Estate Finance, Inc. for the Lakemont/Jones Ranch property stated he is requesting a 45-day extension.
- 5) B. Bartholomew questioned the drawbacks for granting the extension.

L. McIntosh asked if Mr. Anderson realized the Development Agreement was in default.

R. West stated he is not a fan of a 90-day extension and commented that the issues could be turned around quicker than 90 days.

L. McIntosh stated if the extension is not granted does the City have the ability to renegotiate the Development Agreements.

D. Coe questioned if the Development Agreements are two or four years old. Coe added that impact fees then are not what they are now. If the Development Agreements are cancelled, how will the impact fees become current in renegotiations?

R. West questioned if there is any legal advantage of granting the extension now and will there be legal issues for the City if the Development Agreements are terminated.

It was moved by D. Coe, seconded by R. West to **grant a 90 day continuance of the Public Hearing to June 8, 2010 at 6:00 p.m. to allow the property representatives of (1) Lakemont Overland Crossing, LLC; (2) Wheatland Heritage Oaks, LLC; and (3) Trivest Land Co., Inc. additional time to remedy the obligations currently in default.** Vote called – AYES: Coe, West and Pendergraph. NOES: McIntosh. Motion carried.

REPORTS

None.

CLOSED SESSION

1) No reportable action.

ADJOURN

There being no further business, Vice Mayor Pendergraph adjourned the meeting at 7:15 p.m.

Minutes approve and adopted this 23rd day of March, 2010.

Jay Pendergraph, *Vice Mayor*

Lisa J. Thomason, *City Clerk*